



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION**

**JONATHAN C., by his parents and  
next friends Tammy and Fred C.,  
Plaintiff,**

**V.**

**ALBERT HAWKINS, in his official  
capacity as COMMISSIONER, TEXAS  
HEALTH AND HUMAN SERVICES  
COMMISSION,  
*Defendant.***

§ 102-21-102. (a) The following shall constitute the official seal of the State of Connecticut:

**CIVIL ACTION NO. 9:05-CV-43**

## FINAL JUDGMENT

The Court, having considered the issues presented in this civil action and granted summary judgment in favor of the Plaintiff, hereby **ORDERS, ADJUDGES** and **DECREES** that this cause is dismissed with prejudice and judgment is entered accordingly. All pending matters not previously ruled upon are denied as **MOOT** and this matter shall be closed. This Court accordingly **FINDS** and **ORDERS** that Defendant has deprived Jonathan of his entitlement to all medically-necessary private duty nursing services without due process of law, in violation of the Medicaid Act and the Fourteenth Amendment to the United States Constitution, and enjoins Defendant from further depriving Plaintiff in violation of federal law.

**SIGNED** this the **5** day of **December**, 2006.

*Thad Heartfield*  
Thad Heartfield  
United States District Judge